Negative Declaration & Notice Of Determination

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

ENVIRONMENTAL DETERMINATION NO. ED 16-306 **DATE:** September 14, 2017

PROJECT/ENTITLEMENT: Morosin Minor Use Permit; DRC2007-00120

APPLICANT NAME: Michael Morosin **Email:** jhedwardscompany@gmail.com
ADDRESS: 2300 Clark Valley Road, Los Osos, CA 93402
CONTACT PERSON: Jeff Edwards **Telephone:** (805) 235-0893

PROPOSED USES/INTENT: Request by Michael Morosin for a Minor Use Permit to allow construction of a 4,553 square foot single family residence with attached 500 square foot garage, 5,058 square feet of deck, a 640 square foot detached garage and 600 square foot guesthouse. The project will result in the disturbance of approximately 40,000 square feet of an approximately 84 acre parcel. The proposed project is within the Agriculture land use category.

LOCATION: The project is located at and is located at 2300 Clark Valley Road, approximately 1.2 miles southeast of the community of Los Osos. The site is in the Estero planning area.

LEAD AGENCY:
County of San Luis Obispo
Dept of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040
Website: http://www.sloplanning.org

STATE CLEARINGHOUSE REVIEW: YES ☐ **NO** ☒

OTHER POTENTIAL PERMITTING AGENCIES:

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.
COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. September 28, 2017

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County_____ as ☐ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Signature	Stephanie Fuhs (sfuhs@co.slo.ca.us) Project Manager Name	Date	County of San Luis Obispo Public Agency

Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

(ver 5.10)Using Form

Project Title & No. Morosin Minor Use Permit ED16-306 (DRC2007-00120)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

☒ Aesthetics	☒ Geology and Soils	☐ Recreation
☐ Agricultural Resources	☐ Hazards/Hazardous Materials	☐ Transportation/Circulation
☒ Air Quality	☐ Noise	☐ Wastewater
☒ Biological Resources	☐ Population/Housing	☐ Water /Hydrology
☐ Cultural Resources	☒ Public Services/Utilities	☐ Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Stephanie Fuhs (sfuhs@co.slo.ca.us)PW — Signature — 9/6/17
Prepared by (Print) — Signature — Date

Steve McMasters — Signature — Ellen Carroll, Environmental Coordinator (for) — 9/6/17
Reviewed by (Print) — Signature — (for) — Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Michael Morosin for a Minor Use Permit to allow construction of a 4,553 square foot single family residence with attached 500 square foot garage, 5,058 square feet of deck, a 640 square foot detached garage and 600 square foot guesthouse. There are two existing residences and various accessory structures on the property. One of the existing residences will be converted to a farm support quarters unit, the other will be removed before final inspection of building permits for the new primary residence. The project will result in the disturbance of approximately 40,000 square feet of an approximately 84 acre parcel. The proposed project is within the Agriculture land use category and is located at and is located at 2300 Clark Valley Road, approximately 1.2 miles southeast of the community of Los Osos, in the Estero planning area.

ASSESSOR PARCEL NUMBER(S): 067-171-084

Latitude: 35° 17' 47" N Longitude: 120° 48' 11" W **SUPERVISORIAL DISTRICT #** 2

B. EXISTING SETTING

PLAN AREA: Estero (Coastal) **SUB**: None **COMM:** Rural

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: Local Coastal Plan/Program, Geologic Study Area - Seismic Hazard Area, GSA Geologic Hazard Area

PARCEL SIZE: 84 acres

TOPOGRAPHY: Nearly level to moderately sloping

VEGETATION: Grasses, shrubs, scattered trees, row crops, ornamentals

EXISTING USES: Residential and agricultural uses

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; scattered residences, agricultural uses	*East:* Agriculture; scattered residences, agricultural uses
South: Agriculture; scattered residences, agricultural uses	*West:* Agriculture; scattered residences, agricultural uses

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, at least one issue was identified as having a potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

1. AESTHETICS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☒	☐	☐
c) Change the visual character of an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☒	☐	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☐

Aesthetics

Setting. The project site is located along Clark Valley Road which intersects Los Osos Valley Road and travels uphill to the south. The surrounding properties are zoned Agriculture with various agricultural operations (primarily row crops) and residential development. The hillsides surrounding the site have scattered oak trees and chaparral. The subject property and the adjacent parcel were part of a previous Lot Line Adjustment that limited development on the adjacent parcel to the area below the 300 foot contour level due to visual impacts.

Impact. The proposed development will be visible from Clark Valley and Los Osos Valley Roads. However, development will occur below the 300 foot contour line, there is existing vegetation along Clark Valley Road to help screen the development, and proposed colors are darker green with a dark green roof which will help minimize the visual impacts. The project will also result in the addition of exterior lighting. Because the subject residence is visible from public roadways, unshielded night lighting could create glare related impacts.

Mitigation/Conclusion. In order to limit the visual impact of the proposed structures, mitigation measures have been added for landscaping and an exterior lighting plan. These mitigation measures will reduce impacts to a level of insignificance.

2. AGRICULTURAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?	☐	☐	☒	☐
b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☒	☐
c) Impair agricultural use of other property or result in conversion to other uses?	☐	☐	☒	☐
d) Conflict with existing zoning for agricultural use, or Williamson Act program?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

Agricultural Resources

Setting. Project Elements. The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Agriculture

State Classification: Farmland of statewide importance, prime farmland if irrigated, not prime farmland

Historic/Existing Commercial Crops: None

In Agricultural Preserve? Yes, Los Osos AG Preserve Area

Under Williamson Act contract? No

The soil types and characteristics on the subject property include:

Concepcion loam (5 - 9 % slope). This gently sloping loamy claypan soil is considered very poorly drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Cropley clay (2 - 9 % slope). This gently sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class II when irrigated.

Diablo and Cibo clays (15 - 30 % slope).

Diablo. This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, slow percolation. The soil is considered Class IV without irrigation and is not rated when irrigated.

Cibo. This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Gazos-Lodo clay loams (30 - 50% slope).

Gazos. This steeply sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Lodo. This steeply sloping fine loamy soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Lodo clay loam (15 - 30 % slope). This moderately sloping, shallow fine loamy soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Lodo clay loam (30 - 50 % slope). This steeply sloping, shallow fine loamy soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Los Osos loam (15 - 30 % slope). This moderately sloping loamy claypan soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Impact. The area where the new development will be located is on Class 6 (irrigated/non-irrigated soil). The Class 2 soil is located on the northern property boundary where the existing agricultural uses are located. The proposed project will not necessitate removal of any existing agricultural uses nor be located on prime soils.

Mitigation/Conclusion. No mitigation measures are considered necessary.

3. AIR QUALITY *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	☐	☐	☒	☐
b) Expose any sensitive receptor to substantial air pollutant concentrations?	☐	☐	☒	☐
c) Create or subject individuals to objectionable odors?	☐	☐	☒	☐
d) Be inconsistent with the District's Clean Air Plan?	☐	☐	☒	☐

3. AIR QUALITY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?	☐	☐	☒	☐
GREENHOUSE GASES				
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
h) Other: Cumulative Dust	☐	☒	☐	☐

Air Quality

Setting. The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

The project proposes to disturb soils that have been given a wind erodibility rating of 4-6, which is considered "moderate" to "moderately high".

Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts.

The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO2/year (MT CO2e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO2e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

Impact. As proposed, the project will result in the disturbance of approximately 40,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

This project is a Minor Use Permit to construct a new single family residence, detached garage and guesthouse. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

Mitigation/Conclusion.

While the project is below operational thresholds warranting mitigation, dust control measures are recommended during construction in order to reduce cumulative impacts associated with this project. These measures include the following:

- Reducing the amount of disturbed area when possible.
- Using water trucks and sprinkler systems to prevent dust from leaving the site.
- Dirt stockpiles sprayed daily and as needed.
- Driveways and sidewalks paved as soon as possible.

In addition, the project will be subject to residential wood combustion and developmental burning standards as recommended by the APCD. Please refer to Exhibit B – Mitigation Summary Table for a detailed list of required mitigation measures. Incorporation of these measures will reduce impacts to less than significant levels.

4. BIOLOGICAL RESOURCES *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Result in a loss of unique or special status species* or their habitats?	☐	☒	☐	☐
b) Reduce the extent, diversity or quality of native or other important vegetation?	☐	☒	☐	☐
c) Impact wetland or riparian habitat?	☐	☐	☐	☒
d) Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	☐	☐	☒	☐
e) Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?	☐	☐	☐	☒
f) Other: _____	☐	☐	☐	☐

*** Species – as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.**

Biological Resources

Setting. The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Shrubland & grassland, forest & woodland, agricultural vegetation, ornamentals

Name and distance from blue line creek(s): Los Osos Creek, 0.1 miles south of project parcel boundary, and unnamed tributary to the Los Osos Creek is located 150 feet north of project parcel boundary.

Habitats: Coastal scrub

Site's tree canopy coverage: A portion of the parcel is within Coast Oak woodland canopy coverage of approximately 34-75% (above the 300 foot contour).

The Natural Diversity Database (or other biological references) identified the following species potentially existing within approximately one mile of the proposed project:

Vegetation

Eastwood's larkspur (*Delphinium parryi ssp. eastwoodiae*) List 1B

Hardham's evening-primrose (*Camissoniopsis hardhamiae*) List 1B

Mesa horkelia (Horkelia cuneata var. puberula) List 1B

Morro manzanita (*Arctostaphylos morroensis*) FT, List 1B

Most beautiful jewelflower (*Streptanthus albidus spp. peramoenus*) List 1B

Pecho manzanita (*Arctostaphylos pechoensis*) List 1B

Obispo indian paintbrush (Castilleja densiflora var. obispoensis) List 1B

Santa Lucia manzanita (*Arctostaphylos luciana*) List 1B

Splitting yarn lichen (*Sulcaria isidiifera*) FSC, List 1B

Wildlife

Coast horned lizard (*Phrynosoma blainvillii*)

Morro Bay blue butterfly (Plebejus icarioides moroensis)

Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*) FE, SE

Morro shoulderband (banded dune) snail (*Helminthoglypta walkeriana*) FE

Silvery legless lizard (Anniella pulchra pulchra) CSC

Tidewater goby (*Eucyclogobius newberryi*) FE, CSC

A Biological Resources and Botanical Survey report was prepared for the area of proposed development (Ecological Assets Management, LLC, January 30, 2017) based on four site visits that were conducted on April 14, May 12, June 3 and September 23, 2016. The report found the potential for four natural communities, 36 plants and 53 animal species to occur within a five mile radius. The two survey areas contained dense coastal scrub and disturbed (ruderal) habitat. No aquatic or wetland habitats were observed.

Impact. According to the biological report the proposed project could have direct and indirect impacts to nodding needle grass and nesting raptors and birds. Suitable habitat does not exist for Morro Shoulderband Snail or Morro Bay Kangaroo Rat, therefore no significant impacts are expected to occur.

Mitigation/Conclusion. Mitigation measures are proposed for pre-construction surveys to avoid and mitigate impacts to nodding needle grass, nesting raptors and birds and are included in the mitigation summary table below.

5. CULTURAL RESOURCES *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Disturb archaeological resources?	☐	☐	☒	☐

5. CULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Disturb historical resources?	☐	☐	☒	☐
c) Disturb paleontological resources?	☐	☐	☒	☐
d) Cause a substantial adverse change to a Tribal Cultural Resource?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

Cultural Resources

Setting. The project is located in an area historically occupied by the Obispeno Chumash and Salinan. No historic structures are present and no paleontological resources are known to exist in the area.

In order to meet AB52 Cultural Resources requirements, outreach to four Native American tribes groups had been conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). No comments were received from any of the tribal groups.

Impact. A Cultural Resources survey was conducted (Central Coast Archaeological Research Consultants, November 2016). No evidence of cultural materials was noted on the property and no further archaeological work was recommended. Per AB52, tribal consultation was performed and no resources were identified. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☒	☐	☐
b) Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?	☐	☒	☐	☐
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	☐	☒	☐	☐
d) Include structures located on expansive soils?	☐	☐	☒	☐
e) Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?	☐	☐	☒	☐

6. GEOLOGY AND SOILS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) Preclude the future extraction of valuable mineral resources?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☐

* Per Division of Mines and Geology Special Publication #42

Setting. The following relates to the project's geologic aspects or conditions:

Topography: Nearly level to moderately sloping

Within County's Geologic Study Area?: Yes, a portion of the parcel is within a GSA

Landslide Risk Potential: Low to high

Liquefaction Potential: Low

Nearby potentially active faults?: Yes Distance? Two within parcel boundary

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low to high

Other notable geologic features? None

Geology and Soils

Portions of the project are within the Geologic Study area designation and within a high liquefaction area, and is subject to the preparation of a geological report per the County's Land Use Ordinance CZLUO section 23.07.084(c)] to evaluate the area's geological stability. A geological report was conducted for the project (GeoSolutions, Inc./September 30, 2016).

The County Geologist reviewed the GeoSolutions, Inc. report and concurred with the findings and recommendations.

Due to the distance of any known serpentine rock outcrop (at least one mile away), it is unlikely that any naturally occurring asbestos would be encountered during any earthmoving activities.

A sedimentation and erosion control plan is required for all construction and grading projects (CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

Impact. As proposed, the project will result in the disturbance of approximately 40,000 square feet.

Mitigation/Conclusion. The geology report recommended mitigation measures for slope stability, drainage, septic design and erosion control. These recommendations shall be adhered to in the project design and construction. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?	☐	☐	☐	☒
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	☐	☐	☒	☐
f) If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☐	☒	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☐	☐	☒
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☐

Hazards and Hazardous Materials

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a 'high' or 'very high' severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials, or the generation of hazardous wastes. The proposed project is not found on the 'Cortese List' (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). The project does not present a significant fire safety risk. The project is not expected to conflict with any regional

emergency response or evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☐	☒
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☐	☒
c) Cause a temporary or periodic increase in ambient noise in the project vicinity?	☐	☐	☒	☐
d) Expose people to severe noise or vibration?	☐	☐	☒	☐
e) If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?	☐	☐	☐	☒
f) Other: _____	☐	☐	☐	☐

Noise

Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?	☐	☐	☒	☐
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☒	☐

9. POPULATION/HOUSING *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Create the need for substantial new housing in the area?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☐

Population/Housing

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated. No mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES *Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	☐	☒	☐	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☒	☐	☐
c) Schools?	☐	☒	☐	☐
d) Roads?	☐	☐	☒	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☐

Setting. The project area is served by the following public services/facilities:

Police: County Sheriff Location: Los Osos (Approximately 2.3 miles to the west)

Fire: Cal Fire (formerly CDF) Hazard Severity: Moderate to Very High Response Time: 0-10 minutes

Location: Los Osos (Approximately 2.3 miles to the west)

School District: San Luis Coastal Unified School District.

Public Services

For additional information regarding fire hazard impacts, go to the 'Hazards and Hazardous Materials' section.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police/sheriff and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	☐	☐	☒	☐
b) Affect the access to trails, parks or other recreation opportunities?	☐	☐	☒	☐
c) Other _____	☐	☐	☐	☐

Recreation

Setting. The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

Impact. The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	☐	☒	☐
b) Reduce existing "Level of Service" on public roadway(s)?	☐	☐	☒	☐
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☐	☒	☐
d) Provide for adequate emergency access?	☐	☐	☒	☐

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?	☐	☐	☒	☐
f) Conflict with an applicable congestion management program?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☐	☒
i) Other: _____	☐	☐	☐	☐

Transportation

Setting. The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area, including the project's access street, Clark Valley Road, is operating at an acceptable level of service. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable (Sight Distance Evaluation; Beautz Engineering, April 24, 2017).

Referrals were sent to County Public Works. The initial referral response from Public Works requested a sight distance evaluation be completed in order to ensure the proposed driveway on Clarke Valley Road didn't pose a safety hazard. Upon review of the evaluation, Public Works was satisfied that the sight distance was adequate.

Impact. The proposed project is estimated to generate about 20 trips per day, based on the Institute of Traffic Engineer's manual of 9.57 trips/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on transportation.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

13. WASTEWATER *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	☐	☐	☒	☐
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	☐	☐	☒	☐

13. WASTEWATER *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Adversely affect community wastewater service provider?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☐

Wastewater

Setting. Regulations and guidelines on proper wastewater system design and criteria are found within the County's Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the "Water Quality Control Plan, Central Coast Basin" (Regional Water Quality Control Board [RWQCB] hereafter referred to as the "Basin Plan"), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- ✓ Sufficient land area (refer to County's Land Use Ordinance or Plumbing Code) – depending on water source, parcel size minimums will range from one acre to 2.5 acres;
- ✓ The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- ✓ The soil's slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

To assure a successful system can meet existing regulation criteria, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch);
- ✓ the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or
- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type(s) for the project is provided in the listed in the previous Agricultural Resource section. The main limitation(s) of this soil for wastewater effluent include:

--***shallow depth to bedrock***, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface. In this case, based on soil boring information, it is expected that there will be sufficient separation between leach line and bedrock to provide for adequate filtering of effluent, and no special requirements (e.g., engineered system) are anticipated to be able to meet Basin Plan/CPC requirements.

--***slow percolation***, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch. In this case, the soils report identified percolation rates for the soil ranges from 17 to 50 minutes per inch for all leach line locations. Three of the four test locations were between 33 and 50 minutes per inch, therefore, no additional measures above what is already required for a standard septic system is needed.

Impacts/Mitigation. Based on the following project conditions or design features, wastewater impacts are considered less than significant:

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;
- ✓ The soil's percolation rate is between 30 to 120 minutes per inch;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY				
a) Violate any water quality standards?	☐	☐	☒	☐
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	☐	☐	☒	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	☐	☒	☐

14. WATER & HYDROLOGY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?	☐	☐	☒	☐
e) Change rates of soil absorption, or amount or direction of surface runoff?	☐	☐	☒	☐
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☐	☐	☒	☐
g) Involve activities within the 100-year flood zone?	☐	☐	☐	☒
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	☐	☐	☒	☐
i) Adversely affect community water service provider?	☐	☐	☒	☐
j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure,etc.), or inundation by seiche, tsunami or mudflow?	☐	☐	☒	☐
k) Other: _____	☐	☐	☐	☐

Water

Setting. The project proposes to obtain its water needs from an on-site well. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

Groundwater Basin. The project's water source is the Los Osos Valley Groundwater Basin.

Los Osos Valley Groundwater Basin

Aquifer type(s): alluvium; Paso Robles and the Pliocene age Careaga Formations

Water Users/Communities: Los Osos/Baywood Park (Golden State Water Company, S&T Mutual, Los Osos Community Services District), Los Osos Creek valley; agriculture, overlying users; the three water purveyors and County are currently preparing a Basin Management Plan (BMP) under a court-approved Interlocutory Stipulated Judgment (ISJ Working Group)

Basin Yield: Safe Yield estimate of 3,200 AFY (ISJ Working Group, 2010)

Water Quality: Upper aquifer - general mineral character - sodium-magnesium chloride-bicarbonate; total dissolved solids (TDS) concentrations between 200 mg/l and 400 mg/l;

Nitrate concentrations in urban area in excess of the State drinking water standard of 45 mg/l (Cleath & Associates, 2005, 2006a, 2006b)

Lower aquifer - general mineral character - magnesium-calcium bicarbonate near Los Osos Creek and sodium chloride where impacted by sea water intrusion on the west side; TDS concentrations vary – as high as 950 mg/l in west side supply wells - however average values in urban area are about 500 mg/l; dea water intrusion is the main concern for lower aquifer water quality (Cleath & Associates, 2005; GSWC, 2009)

Basin Characteristics: Five zones of varying thickness; 10 square miles in size; susceptible to salt water intrusion; follows main strand of Los Osos Fault

Recharge sources: seepage of surface flows; deep percolation of rainfall, residential/agriculture irrigation return flows

References: California's Groundwater Bulletin 118 as Groundwater Basin Number 3-8 (DWR, 2003); County Master Water Plan 2010

Land Use Categories: Urban categories within Los Osos URL; Agriculture

RMS ranking: Level of Severity III (sea water intrusion)

The topography of the project is mostly level to moderately sloping. The closest creek from the proposed development is approximately 100 feet away. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

DRAINAGE – The following relates to the project's drainage aspects:

Within the 100-year Flood Hazard designation? No

Closest creek? Unnamed tributary to Los Osos Creek Distance? Approximately 100 feet

Soil drainage characteristics: Not well drained to poorly drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Low to moderate

A sedimentation and erosion control plan is required for all construction and grading projects (CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact – Water Quality/Hydrology

With regards to project impacts on water quality the following conditions apply:

- ✓ Approximately 40,000 square feet of site disturbance is proposed;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Parking area drainage inlets will be fitted with hydrocarbon filters;
- ✓ Bioswales will be installed as a part of the drainage plan;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

Water Quantity

Based on the project description, as calculated on the County's water usage worksheet, the project's water usage is estimated as follows:

Indoor: 0.17 acre feet/year (AFY);
Outdoor: 0.88 AFY
Total Use: 1.05 AFY

Sources used for this estimate include one or more of the following references: County's Land Use Ordinance, 2000 Census data, Pacific Institute studies (2003), City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide' (1989).

Mitigation/Conclusion. As specified above for water quality, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality. Based on the proposed development being located within the Los Osos Valley Groundwater Basin which is in a Level of Severity III, water conservation measures are needed in order to protect groundwater supplies. These measures are already contained within Title 19 and require off-setting new water use. No additional measures are considered necessary.

15. LAND USE

Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	☐	☐	☒	☐

15. LAND USE

Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
b) Be potentially inconsistent with any habitat or community conservation plan?	☐	☐	☐	☒
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	☐	☐	☒	☐
d) Be potentially incompatible with surrounding land uses?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

Land Use

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

PROJECT MANAGER: PLANNING AREA STANDARDS APPLY

The proposed project is subject to the following Planning Area Standard(s) as found in the County's LUO:

1. CZLUO Section 23.07.080 – Geologic Study Area
2. Estero Area Plan
3. Estero Area Plan Section 7.4 B – Irish Hills Scenic Backdrop Critical Viewshed
4. Estero Area Plan – Agriculture: Row Crop Terrain and Soils
5. Estero Area Plan Areawide Standards Section 3.J – Los Osos Groundwater Basin

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	☐	☐	☒	☐
b) Have impacts that are individually limited, but cumulatively considerable?				

("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) ☐ ☒ ☐ ☐

c) ***Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*** ☐ ☐ ☒ ☐

For further information on CEQA or the County's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: http://resources.ca.gov/ceqa/ for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
☒	County Public Works Department	Attached
☐	County Environmental Health Services	**Not Applicable**
☒	County Agricultural Commissioner's Office	None
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☐	Air Pollution Control District	**Not Applicable**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☒	CA Coastal Commission	None
☐	CA Department of Fish and Wildlife	**Not Applicable**
☐	CA Department of Forestry (Cal Fire)	**Not Applicable**
☐	CA Department of Transportation	**Not Applicable**
☐	Community Services District	**Not Applicable**
☐	Other _____	**Not Applicable**
☐	Other _____	**Not Applicable**

*** "No comment" or "No concerns"-type responses are usually not attached*

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

County documents

- ☒ Coastal Plan Policies
- ☒ Framework for Planning (Coastal/Inland)
- ☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
  - ☒ Agriculture Element
  - ☒ Conservation & Open Space Element
  - ☐ Economic Element
  - ☒ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element/Project List
  - ☒ Safety Element
- ☒ Land Use Ordinance (Inland/Coastal)
- ☒ Building and Construction Ordinance
- ☒ Public Facilities Fee Ordinance
- ☐ Real Property Division Ordinance
- ☒ Affordable Housing Fund
- ☐ Airport Land Use Plan
- ☐ Energy Wise Plan
- ☒ Estero Area Plan and Update EIR
- ☐ Design Plan
- ☐ Specific Plan
- ☒ Annual Resource Summary Report
- ☐ Circulation Study

Other documents

- ☒ Clean Air Plan/APCD Handbook
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Special Biological Importance Map
- ☒ CA Natural Species Diversity Database
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Cultural Resources Survey (Central Coast Archaeological Research Consultants, November 2016)

Biological Resources and Botanical Survey Report, (Ecological Assets Management, LLC, January 30, 2017)

Engineering Geological Evaluation, (GeoSolutions, Inc., September 30, 2016)

Sight Distance Evaluation (Beautz Engineering, April 24, 2017)

Percolation Testing Report (GeoSolutions, Inc., October 3, 2016)

Exhibit B - Mitigation Summary Table

Aesthetics

AE-1. The applicant shall submit an exterior lighting plan to the Department of Planning and Building for review and approval, **prior to issuance of building permits**. The plan shall provide graphic details for all proposed exterior lighting fixtures. Fixtures shall be dark colored and designed such that the bulb and reflective surfaces are obscured from off-site view.

AE-2. **Prior to issuance of construction permits**, the applicant shall submit a landscaping plan which includes screening of the proposed structures when viewed from Clark Valley and Los Osos Valley Roads. The landscaping plans shall meet the following requirements:

a. Landscaping plans shall meet the requirements of Chapter 23.04.180 of the Coastal Zone Land Use Ordinance.

b. Landscaping plans must be designed to screen at least 50 percent of the structures, new driveways, and fill slopes from public views within three years.

c. Proposed planting materials shall be native and/or drought tolerant. Materials shall be selected to blend in with the surrounding natural vegetation. Shrubs and trees used for screening purposes shall be evergreen.

d. A landscape architect or other qualified professional must certify that the landscaping plan will achieve the performance standards identified in the mitigation measures.

Air Quality

AQ-1. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

a. Reduce the amount of disturbed area where possible,
b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.

AQ-2. Developmental burning of vegetative material within San Luis Obispo County is prohibited. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the

study of technical feasibility (which includes costs and other constraints) **at the time of application for building permits**.

AQ-3. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the County.

Biologicial Resources

BIO-1. **Prior to any ground disturbing activities,** the applicant shall submit pre-construction, protocol and/or focused surveys for nodding needle grass, Western Mastiff Bat and San Diego Desert Woodrat. If no bat or woodrat roosting sites are found, no additional surveys are required. If active roosts are found within or adjacent to the project site, all work activities within 100 feet shall be avoided. Exclusionary fencing shall be installed by a qualified biologist and work within the exclusion zone shall not resume until the qualified biologist determines that the roost site is no longer being utilized.

BIO-2. **Prior to final inspection and following site disturbance activities,** a qualified biologist or botanist shall spread Nodding Needlgrass wildflower seed and other native grass seed mix known from the area may also be included in the seed mix (but shall not constitute more than 25% of the mix) within the survey area. The applicant shall provide evidence that this condition was satisfied **prior to final inspection.**

BIO-3. **Prior to issuance of construction permits**, to avoid potential impacts to nesting birds, tree removal associated with project activities shall be limited outside the bird nesting season, which is February 15th to September 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist, retained by the applicant, in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance and in consultation with CDFW and/or USFWS. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

Geology and Soils

GEO-1. **At the time of application for construction permits,** the applicant shall submit plans that incorporate the recommendations and mitigation measures contained in the Engineering Geology Report prepared by GeoSolutions, Inc. dated September 30, 2016.

Date: August 29, 2017

DEVELOPER'S STATEMENT FOR
Morosin Minor Use Permit
DRC2007-00120 / ED16-306

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Aesthetics / Visual Resources

AE-1. The applicant shall submit an exterior lighting plan to the Department of Planning and Building for review and approval, **prior to issuance of building permits**. The plan shall provide graphic details for all proposed exterior lighting fixtures. Fixtures shall be dark colored and designed such that the bulb and reflective surfaces are obscured from off-site view.

Monitoring AE-1: Compliance will be verified by the Department of Planning and Building.

AE-2. **Prior to issuance of construction permits**, the applicant shall submit a landscaping plan which includes screening of the proposed structures when viewed from Clark Valley and Los Osos Valley Roads. The landscaping plans shall meet the following requirements:

a. Landscaping plans shall meet the requirements of Chapter 23.04.180 of the Coastal Zone Land Use Ordinance.

b. Landscaping plans must be designed to screen at least 50 percent of the structures, new driveways, and fill slopes from public views within three years.

c. Proposed planting materials shall be native and/or drought tolerant. Materials shall be selected to blend in with the surrounding natural vegetation. Shrubs and trees used for screening purposes shall be evergreen.

d. A landscape architect or other qualified professional must certify that the landscaping plan will achieve the performance standards identified in the mitigation measures.

Monitoring AE-2: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

Air Quality

AQ-1. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

a. Reduce the amount of disturbed area where possible,

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.

c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.

d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.

Monitoring: The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

AQ-2. Developmental burning of vegetative material within San Luis Obispo County is prohibited. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) **at the time of application for building permits**.

Monitoring AQ-2: The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

AQ-3. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the County.

Monitoring AQ-3: The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

Biological Resources

BIO-1. **Prior to any ground disturbing activities,** the applicant shall submit pre-construction, protocol

and/or focused surveys for nodding needle grass, Western Mastiff Bat and San Diego Desert Woodrat. If no bat or woodrat roosting sites are found, no additional surveys are required. If active roosts are found within or adjacent to the project site, all work activities within 100 feet shall be avoided. Exclusionary fencing shall be installed by a qualified biologist and work within the exclusion zone shall not resume until the qualified biologist determines that the roost site is no longer being utilized.

Monitoring BR-1: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to issuance of grading/ construction permits. Permits will not be issued until this measure has been satisfied.

BIO-2. **Prior to final inspection and following site disturbance activities,** a qualified biologist or botanist shall spread Nodding Needlgrass wildflower seed and other native grass seed mix known from the area may also be included in the seed mix (but shall not constitute more than 25% of the mix) within the survey area. The applicant shall provide evidence that this condition was satisfied **prior to final inspection.**

Monitoring BR-2: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to final inspections. Final inspections and certificate of occupancy will not be granted until this measure is satisfied.

BIO-3. **Prior to issuance of construction permits**, to avoid potential impacts to nesting birds, tree removal associated with project activities shall be limited outside the bird nesting season, which is February 15th to September 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist, retained by the applicant, in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance and in consultation with CDFW and/or USFWS. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

Monitoring BR-3: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to issuance of grading/ construction permits. Permits will not be issued until these measures have been satisfied.

Geology and Soils

GEO-1. **At the time of application for construction permits,** the applicant shall submit plans that incorporate the recommendations and mitigation measures contained in the Engineering Geology Report prepared by GeoSolutions, Inc. dated September 30, 2016.

Monitoring WR-1: Compliance will be verified by the Department of Planning and Building in consultation with the County Geologist prior to issuance of construction permits.

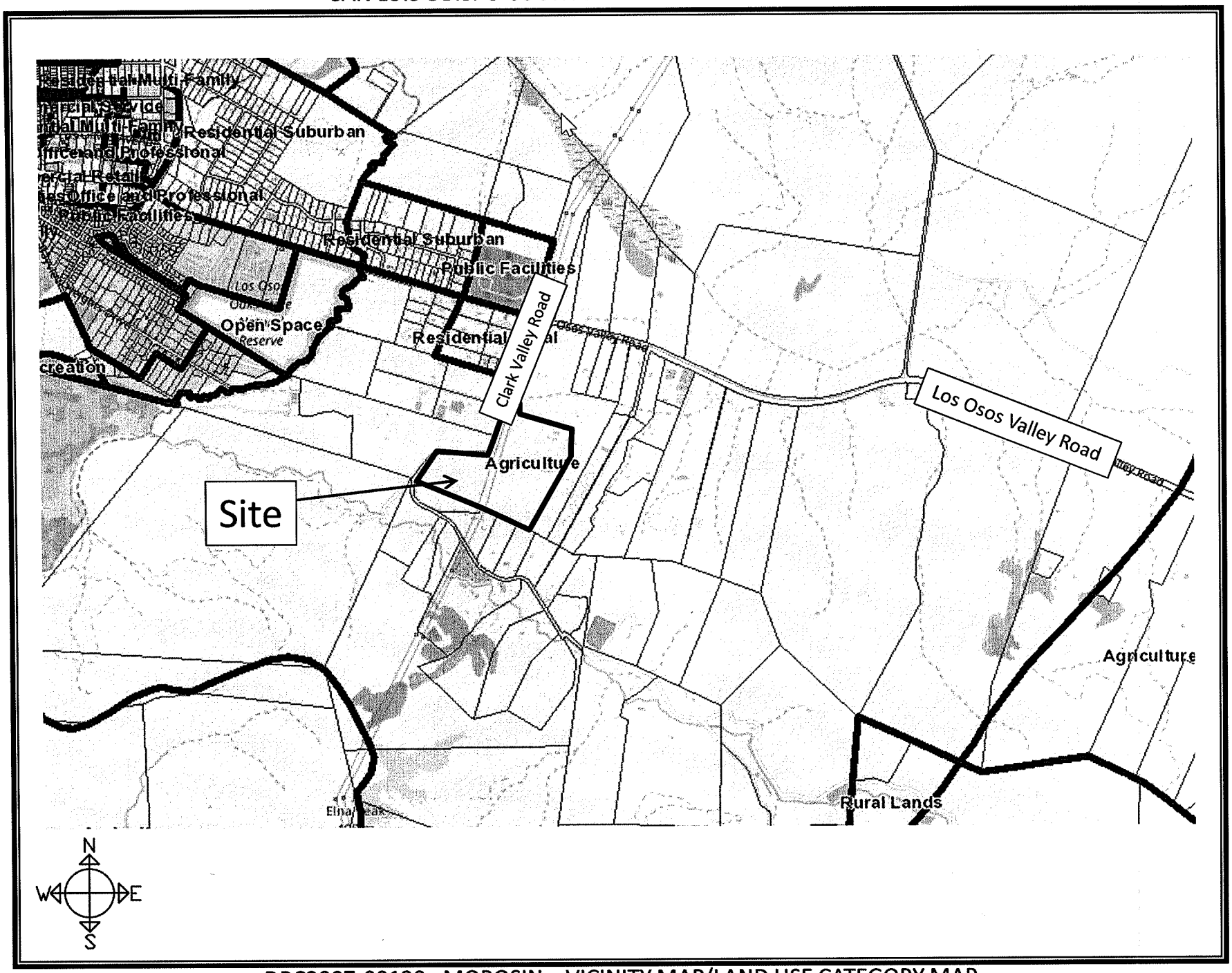
The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

8-31-2017

Signature of Owner(s) Date

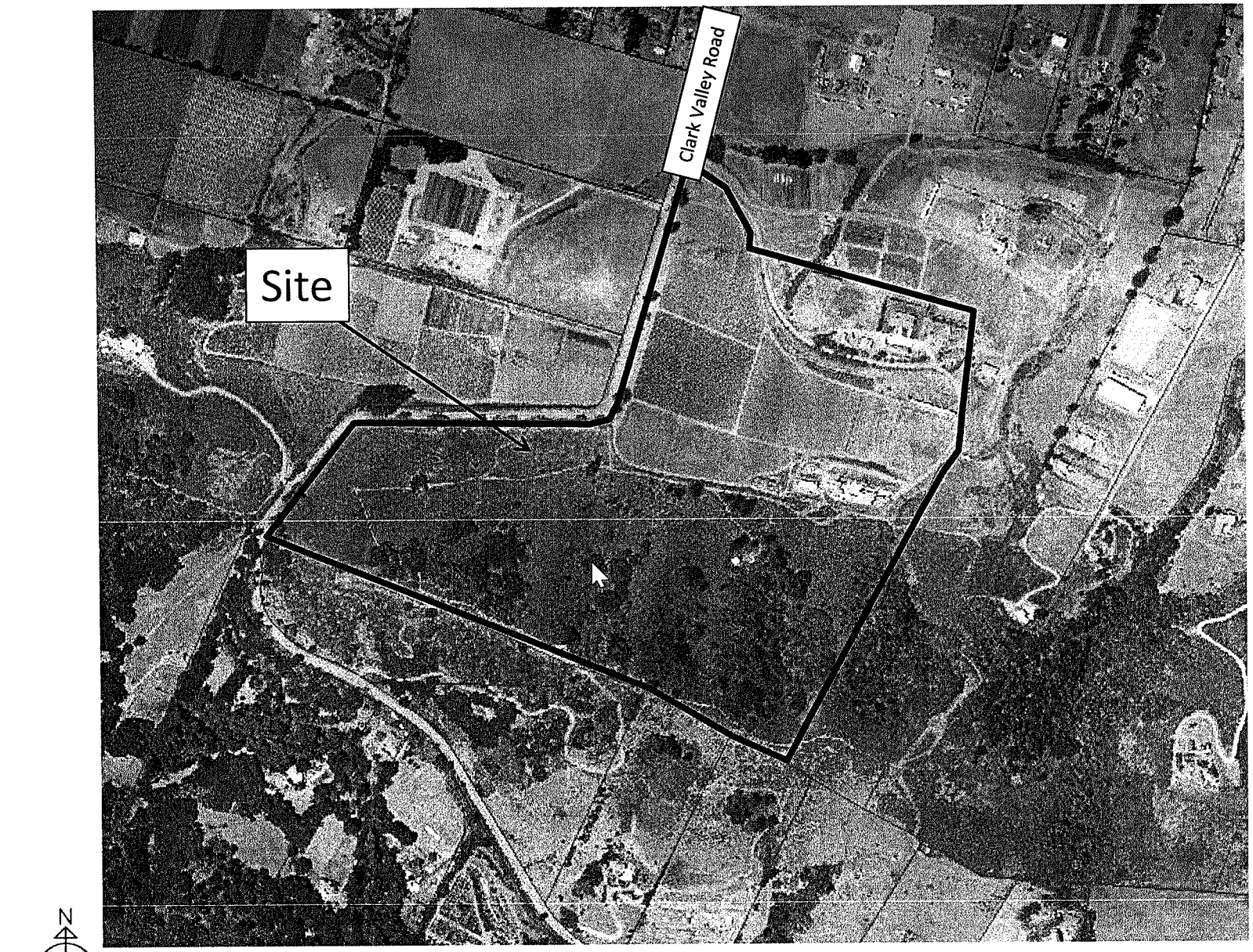
Michael K. Morosini

Name (Print)



DRC2007-00120– MOROSIN – VICINITY MAP/LAND USE CATEGORY MAP

DRC2007-00120– MOROSIN – AERIAL VIEW



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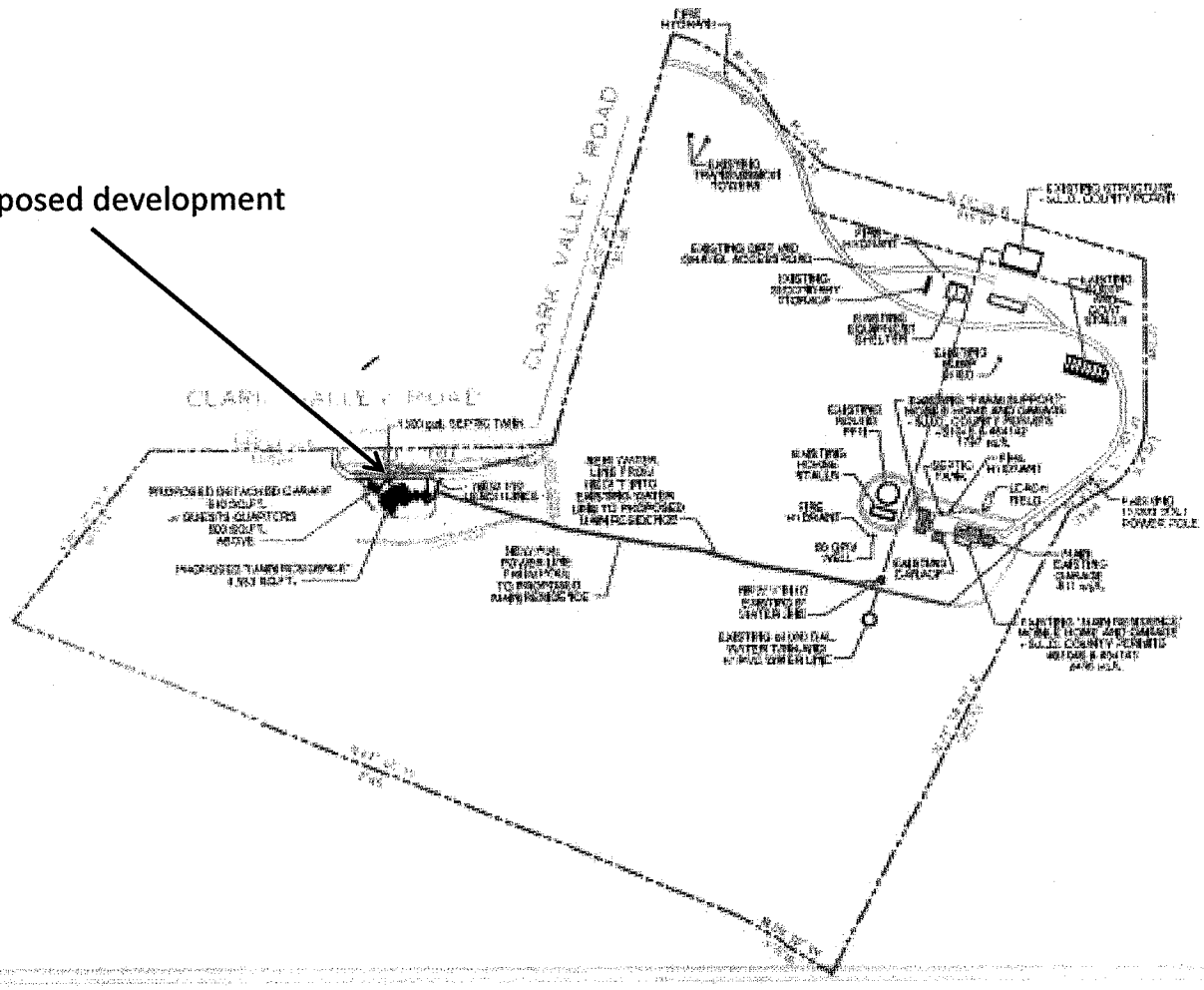
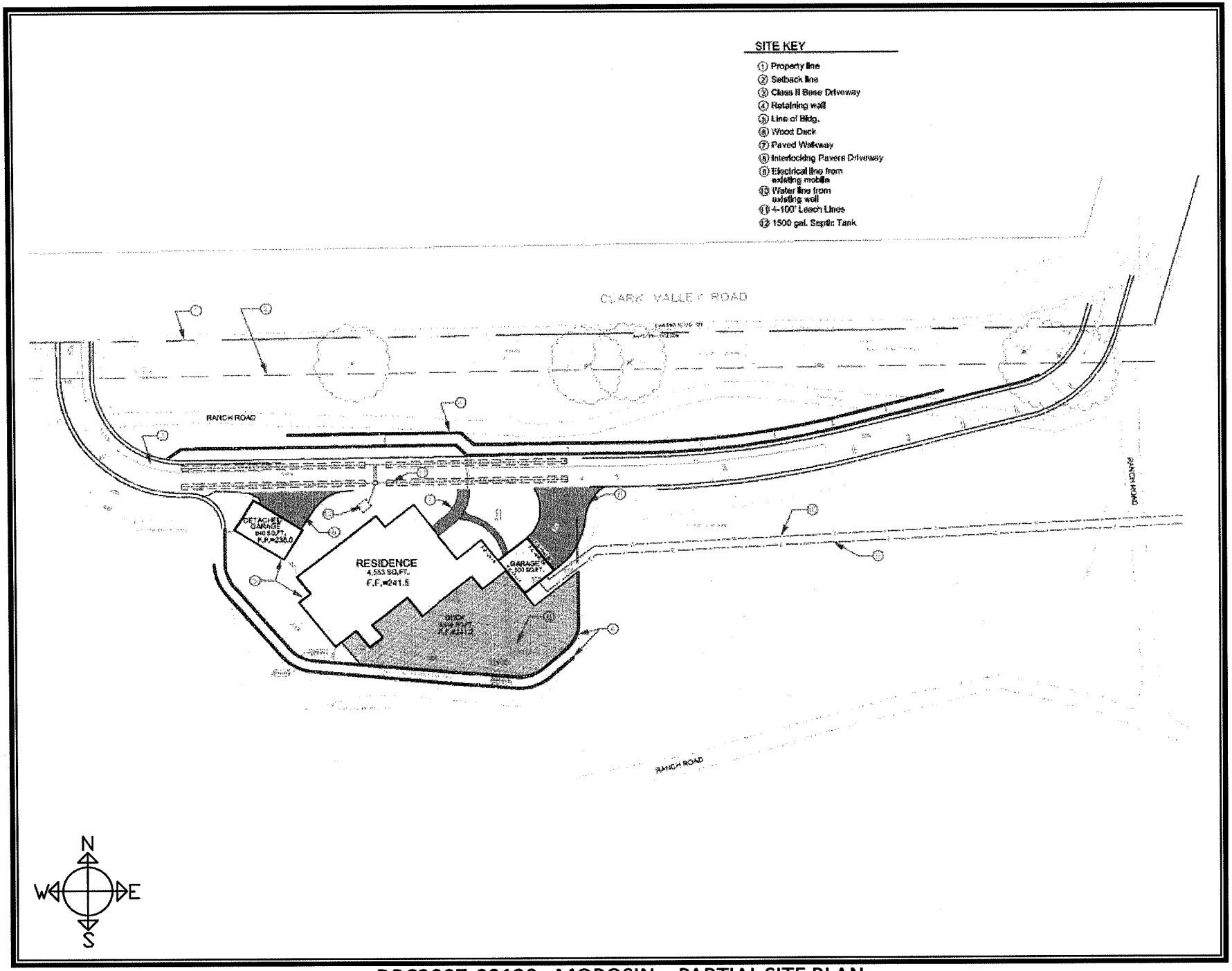


SITE PLAN

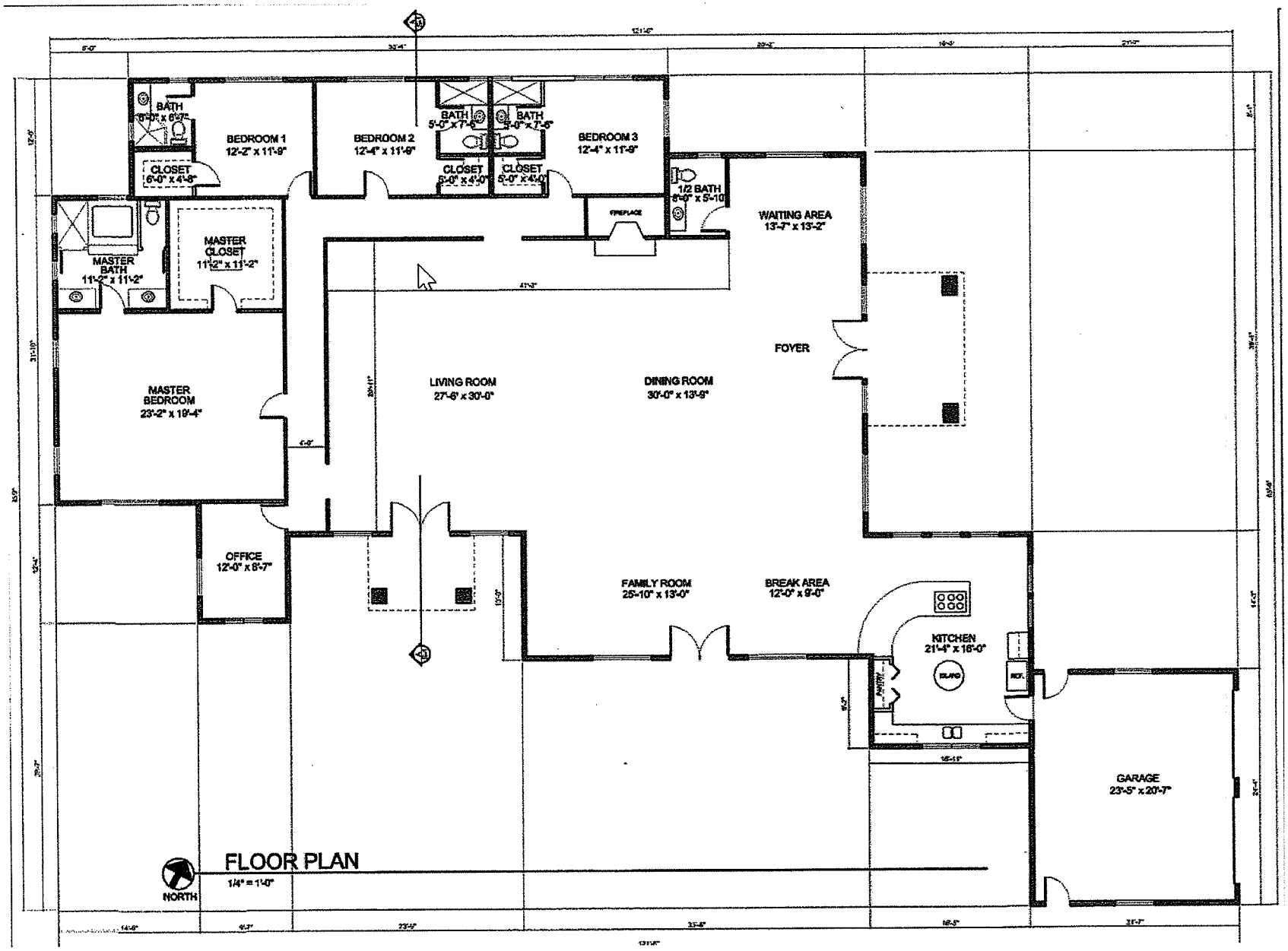
NO SCALE

NORTH

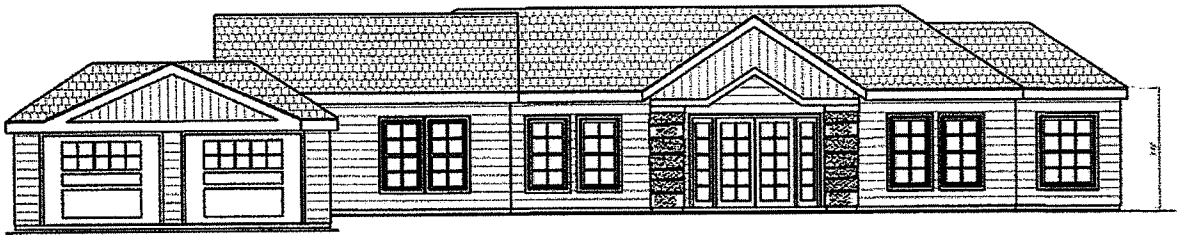
N
W
S



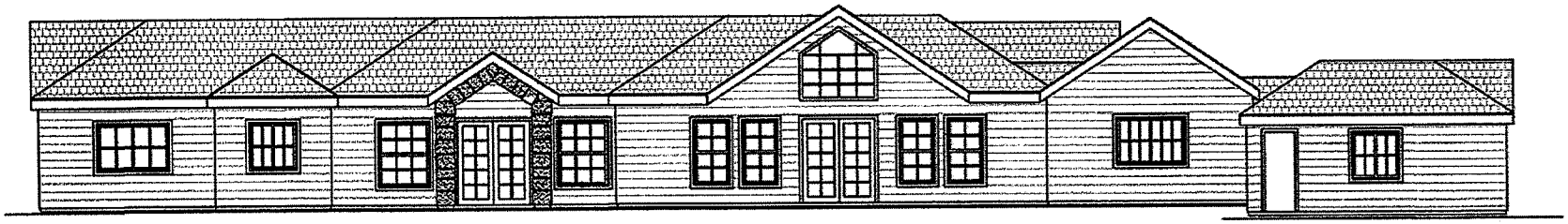
DRC2007-00120– MOROSIN – PARTIAL SITE PLAN



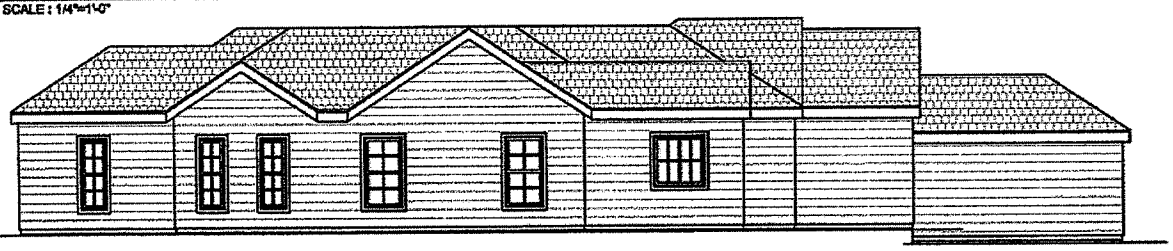
DRC2007-00120– MOROSIN –PRIMARY RESIDENCE FLOOR PLAN



NORTH/EAST ELEVATION
SCALE : 1/4"=1'-0"



SOUTH/EAST ELEVATION
SCALE : 1/4"=1'-0"



SOUTH/WEST ELEVATION
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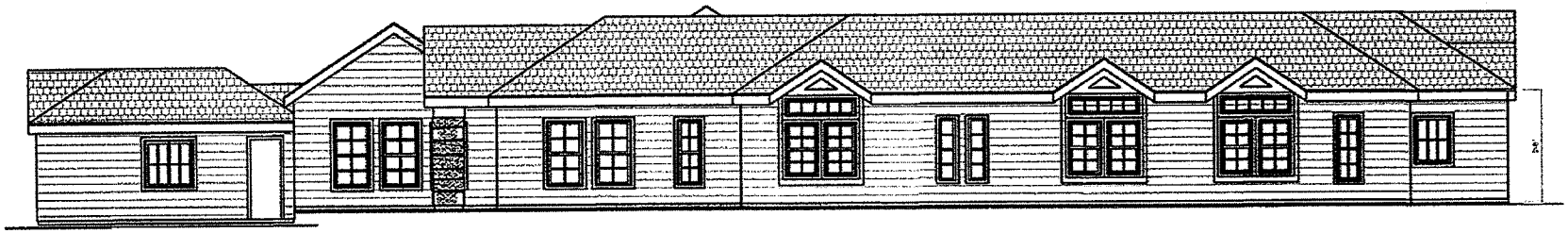
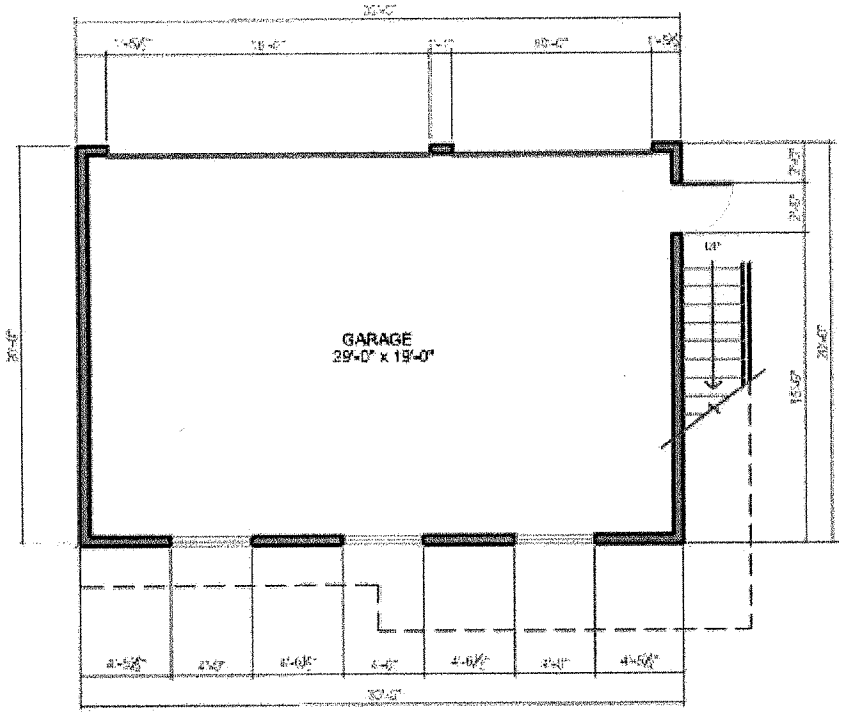


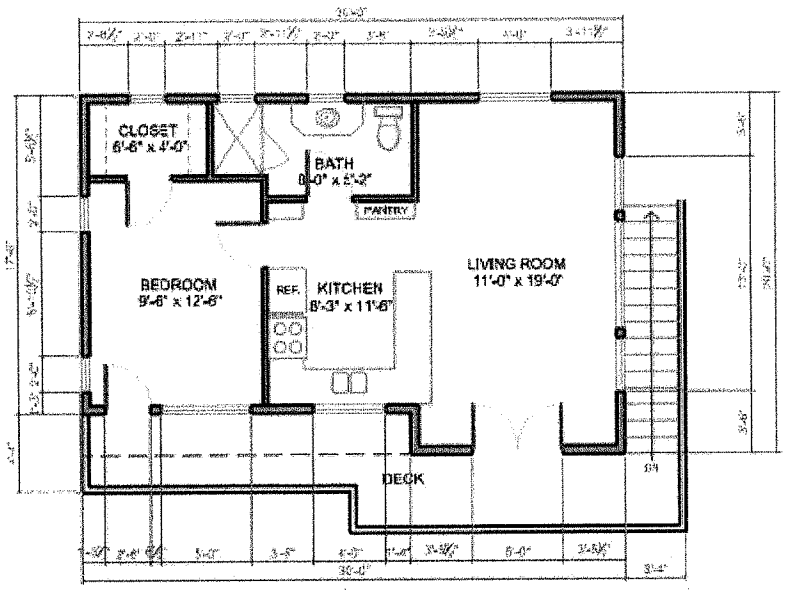
NORTH/WEST ELEVATION
SCALE : 1/4"=1'-0"

DRC2007-00120– MOROSIN –PRIMARY RESIDENCE ELEVATIONS



PROPOSED FIRST FLOOR PLAN
DETACHED GARAGE/GUEST STUDIO

1/8" = 1'-0"



PROPOSED SECOND FLOOR PLAN
DETACHED GARAGE/GUEST STUDIO

1/8" = 1'-0"

FRONT
NORTH ELEVATION

RIGHT
EAST ELEVATION

FRONT
NORTH ELEVATION

RIGHT
EAST ELEVATION